

CAITLIN O'CONNOR

VS.

LAMPO GROUP

DAVID L. RAMSEY, III

November 12, 2021



Jeannie Chaffin, LCR

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1 IN THE UNITED STATES DISTRICT COURT FOR THE
2 MIDDLE DISTRICT OF TENNESSEE
3 NASHVILLE DIVISION

4 CAITLIN O'CONNOR,

5 Plaintiff,

6 vs.

Case No. 3:20-CV-00628

7 THE LAMPO GROUP, LLC a/k/a
8 RAMSEY SOLUTIONS,

9 Defendant.

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14 Video Deposition of:

15 DAVID L. RAMSEY III

16 Taken on behalf of the Plaintiff
17 November 12, 2021

18 Commencing at 1:30 p.m.

19

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21

22

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A P P E A R A N C E S

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Also Present:

MS. CAITLIN O'CONNOR
MS. JENNIFER JOHNSON, Videographer

S T I P U L A T I O N S

The video deposition of DAVID L. RAMSEY III was taken by counsel for the Plaintiff, at the offices of Webb Sanders, PLLC, 611 Commerce Street, Suite 3102, Nashville, Tennessee, on November 12, 2021, for all purposes under the Federal Rules of Civil Procedure.

All formalities as to caption, notice, statement of appearance, et cetera, are waived. All objections, except as to the form of the questions, are reserved to the hearing, and that said deposition may be read and used in evidence in said cause of action in any trial thereon or any proceeding herein.

It is agreed that JEANNIE CHAFFIN, LCR, Notary Public and Court Reporter for the State of Tennessee, may swear the witness, and that the reading and signing of the completed deposition by the witness was not discussed.

1 * * *

2
3 THE VIDEOGRAPHER: We are now on the
4 record. Today is Friday, the 12th of November,
5 2021, and the time indicated on the video
6 screen is 1:30 p.m. This is a video deposition
7 of Dave Ramsey. Case number 3:20-CV-00628.
8 The deposition is being held today at
9 611 Commerce Street, Nashville, Tennessee.

10 My name is Jennifer Johnson, the
11 videographer. The court reporter is
12 Jeannie Chaffin.

13 Will counsel please introduce
14 yourselves and state whom you represent.

15 MS. COLLINS: Heather Collins and
16 Ashley Walter for the Plaintiff.

17 MS. SANDERS: Leslie Sanders and
18 Daniel Cortez for Defendant.

19 THE VIDEOGRAPHER: Will the court
20 reporter please swear in the witness.

21 * * *

22
23 DAVID L. RAMSEY III,
24 was called as a witness and having first been
25 duly sworn, testified as follows:

1 EXAMINATION

2 QUESTIONS BY MS. COLLINS:

3 Q. Good afternoon. Could you state your
4 name for the record, please?

5 A. David L. Ramsey III.

6 Q. And what is your address?

7 A. My personal address?

8 Q. Yes.

9 A. [REDACTED].

10 Q. What city?

11 A. [REDACTED], Tennessee.

12 Q. Zip code?

13 A. [REDACTED].

14 Q. Okay. And what is your job title at
15 Ramsey Solutions?

16 A. I'm the CEO.

17 Q. Are you also the founder?

18 A. Yes.

19 Q. Okay. Is it a privately held company?

20 A. Yes.

21 Q. What majority share do you own? I assume
22 it's majority share.

23 A. Yes. Yes. I am the only voting stock.

24 Q. Okay. In your current role do you set
25 policy?

1 A. In consensus with my operating board.

2 Q. Do you also enforce policy in your
3 current role as CEO?

4 A. Rarely.

5 Q. What type of business entity is Ramsey
6 Solutions?

7 A. An LLC.

8 Q. Okay. Are you the only member of that
9 LLC?

10 A. No.

11 Q. Who are the other members?

12 A. My wife, Sharon, and my children.

13 Q. How many children?

14 A. Three.

15 Q. And what are their names?

16 A. Daniel Ramsey, Denise Whittemore,
17 Rachel Cruz.

18 Q. What -- what -- I might have gotten the
19 second and third mixed up.

20 A. Oh, I'm sorry. I'm sorry. I'll go
21 slower.

22 Daniel Ramsey, Rachel Cruz,
23 Denise Whittemore.

24 Q. Okay.

25 A. W-H-I-T-T-E-M-O-R-E.

1 Q. Does Ramsey Solutions have articles of
2 incorporation?

3 A. Yes.

4 Q. Do they state a religious purpose, to
5 your knowledge?

6 A. I don't know.

7 Q. What products does your company offer?

8 A. How much time do we have? Hundreds and
9 hundreds of products.

10 Q. Just generally.

11 A. We have broadcast entities. We produce
12 books. We train counselors, coaches. We
13 produce live events. We produce other digital
14 products. Subscription services. And that is
15 not -- that probably doesn't -- high school
16 curriculum or educational curriculum for
17 schools in general.

18 And that's probably not everything.

19 That's a general overview.

20 Q. Okay. Are any of those products that
21 your company offers secular in nature?

22 A. They all serve the mainstream and are
23 available in churches and anything else for
24 that matter. We don't -- we don't distinguish.

25 Q. The educational products that are for

1 high schools, what about those? Do they have
2 any reference to religion or anything like
3 that?

4 A. If they are in public schools, they have
5 to abide by the law. And so there is
6 reference, but it is the reference that is
7 allowed under the law.

8 Q. Okay. Does the company have any other
9 governmental contracts? I believe I recall
10 seeing something for National Guard?

11 A. National Guard has been and might be a
12 sponsor for one of the radio shows. I'm not
13 aware of any government contracts.

14 Q. So is it fair to say the extent of the
15 business that Ramsey Solutions has with public
16 entities like boards of education, where it
17 serves the educational part, complies with the
18 law which requires you to take out a religious
19 component?

20 MS. SANDERS: Object to the form.

21 BY MS. COLLINS:

22 Q. You can answer.

23 MS. SANDERS: You can answer if you
24 know.

25 THE WITNESS: Okay. Well, that's not

1 correct. The law does not require all
2 religious components to be taken out. The law
3 requires in public schools, per Supreme Court
4 rulings that I understand, that the religious
5 references cannot be proselytizing. They can
6 only be instructive. The instructive ones are
7 left in. And we don't have anything that
8 violates the law.

9 BY MS. COLLINS:

10 Q. Okay. Are there Bible verses?

11 A. Yes. There are Bible verses in almost
12 everything we do.

13 Q. Is there anything in any of the
14 government contracts that your company has that
15 says your employees must not engage in
16 premarital sex?

17 A. I have never read any of the government
18 contracts.

19 Q. If an unwed female employee gets
20 pregnant, does that burden your ability to
21 conduct business in accordance with your
22 beliefs?

23 A. Well, our employment agreement that every
24 employee signs states that they are going to
25 live their life in accordance with that value

1 system. Pregnancy does not enter into it. But
2 if a -- if we hold -- when we hold ourselves
3 out as Christians to the community, if an
4 employee is doing something that is contrary to
5 standard Christian beliefs, normative Christian
6 beliefs, then the people that we deal with in
7 the Christian community would feel that we are
8 hypocrites, and it would damage our brand.
9 That's why we've done that.

10 Q. Done what?

11 A. Listed that in the employment agreement I
12 was referring to.

13 Q. Listed what?

14 A. What I just referred to.

15 Q. Engaging in premarital sex?

16 A. No. Living your life in accordance with
17 evangelical beliefs. Normative Christian
18 beliefs.

19 Q. Okay. And is engaging in premarital sex
20 part of that normative belief, as you referred
21 to it? Or not engaging in premarital sex.

22 A. I'm confused what you're saying.

23 Q. Sure.

24 You just mentioned that your policies
25 conform with what you believe to be normative

1 evangelical belief systems --

2 A. Uh-huh.

3 Q. -- right?

4 A. Uh-huh.

5 Q. So do the policies of Ramsey Solutions

6 prohibit employees from engaging in premarital

7 sex?

8 A. In literal form it is not written, no.

9 But under the righteous living values, one of

10 our core values, it is accepted within the

11 whole organization that that would be a

12 violation of that.

13 Q. How is it accepted within the

14 organization that it's a value of the righteous

15 living values?

16 A. I'm sorry. I still don't understand.

17 Q. Well, how is it part of the righteous

18 living core values that premarital sex is

19 encompassed in that value, not engaging in

20 premarital sex?

21 A. How -- I'm still a little bit confused of

22 exactly what you're asking. I -- how are we

23 communicating it?

24 Q. Well, how -- you said that it was part of

25 the belief system, right, of the company --

1 A. Uh-huh.

2 Q. -- that premarital sex was prohibited --

3 A. Uh-huh.

4 Q. -- under the righteous living core value.

5 How did it become part of the belief

6 system that it's part of the company's culture?

7 A. How did it become part of the belief

8 system that it is part of the company culture.

9 I'm still a little fuzzy, but I'll

10 take a stab at it. Question's not very clear.

11 But the -- again, righteous living

12 would be living your life in a righteous way.

13 Obviously, stated that. And normative

14 Christian belief is that having sex outside of

15 marriage is not a righteous act. And so pretty

16 much anyone that is familiar with the concepts

17 would assume that or know that, if that's what

18 you're asking. I don't know if that helps or

19 not.

20 Q. Where does it come from that sex outside

21 of marriage is not a righteous act?

22 A. Comes from normative standard beliefs

23 within the Christian community.

24 Q. Is there a Bible verse that you know of

25 that prohibits it?

1 A. I suspect there are several, none of
2 which at this moment I can call off the top of
3 my head.

4 Q. But this policy that prohibits premarital
5 sex at Ramsey Solutions is not written down
6 anywhere; is that correct?

7 A. Not that I'm aware of.

8 Q. Why not?

9 A. I'm sorry?

10 Q. Why not?

11 MS. SANDERS: Object to the form.

12 You can answer.

13 THE WITNESS: There's not a reason.

14 BY MS. COLLINS:

15 Q. Does it always lead to termination if the
16 company finds out an employee engaged in
17 premarital or extramarital sex?

18 A. When we define sex as intercourse, yes.

19 Q. Have there ever been any exceptions?

20 A. Not to my recollection.

21 Q. When did it come about -- or how did it
22 come about that there is a distinction between
23 a definition of sex being defined as
24 intercourse versus something else?

25 A. When I answered that question, I wanted

1 to be clear.

2 Q. What do you mean by that?

3 A. I wanted to be clear what I meant by sex
4 outside of marriage.

5 Q. Okay. If someone engages in oral sex
6 outside of marriage, will they be terminated?

7 A. Don't recall that coming up except once,
8 and there were other circumstances around that.

9 Q. Okay. Tell me about that.

10 MS. SANDERS: The -- I believe we're
11 going into the course of the deposition that's
12 attorneys' eyes only. So I believe that's
13 where this answer is going to lead. So at this
14 time Ms. O'Connor will need to leave.

15 MS. COLLINS: Okay. Caitlin, can you
16 step out for just one sec?

17 (Off-the-record discussions.)

18 (WHEREUPON, the pending question was
19 read back by the reporter.)

20 MS. SANDERS: This portion of the
21 deposition is marked as attorneys' eyes only.

22 THE WITNESS: Okay. In the case of
23 [REDACTED], there was some vague form of some
24 kind of oral sex referenced that he admitted
25 to. We never could really get to the bottom of

1 exactly what it was. And it was a part of an
2 overall process, so it was not -- it was not
3 intercourse at that time. A fairly recent --
4 or a fairly recent thing at the time it became
5 to us.

6 And so we did not terminate him based
7 on that because it was not intercourse. He was
8 accused of intercourse and admitted to that
9 from [REDACTED] before. And two new pieces of
10 information there that we had never faced
11 before. We had never faced the question of
12 oral sex, and we had never faced the question
13 of something being [REDACTED].

14 We decided that something that was
15 [REDACTED] we were not going to hold against
16 everyone. Because if everything gets hold
17 against everybody for [REDACTED], we probably
18 wouldn't have anything.

19 And the oral sex was accused by his
20 wife in a high-stress situation. He admitted
21 it, but said it was not what it sounded like.
22 And frankly, I didn't want all the details.

23 So the conclusion was that they were
24 going to try to work on it to save their
25 marriage. So we didn't push it.

1 BY MS. COLLINS:

2 Q. The [REDACTED] allegation, was he an
3 employee at the time?

4 A. Yes.

5 Q. And you mentioned a moment ago that some
6 kind of oral is referred to. What did you mean
7 by that? And how was it referred to? How did
8 you find out about it?

9 A. His wife at the time came accusing him of
10 many things. And we were trying get to the
11 bottom of what the truth was in her erratic
12 behavior and his stonewalling. Their church
13 elders were in the room, several of our
14 operating board members. And a shouting match
15 between her began. Her shouting and accusing
16 him of this, trying to get him to own up to it.

17 And he said he had taken comfort in
18 this lady that was his [REDACTED] because
19 they were both married to crazy people,
20 according to him. And an emotional affair had
21 developed. And that -- an oral sex act had
22 begun but was not completed, according to him.
23 She contends otherwise, but she was not there.
24 His wife, now ex-wife.

25 The truth is, the whole thing is such

1 a mess, it's hard to tell what was really going
2 on. The people involved were so dramatic and
3 out of control, there was no way to make a real
4 judgment on what was happening. That's one of
5 the reasons we didn't act on it, because we
6 couldn't figure out what the real truth was.

7 Q. But he admitted to some form of physical
8 affair?

9 A. Yes. Physical, oral sex starting but not
10 completed. I have no idea what -- whether to
11 believe that or what really happened. But
12 that's what he admitted.

13 Q. And it was determined that did not
14 violate the righteous living core value?

15 A. Correct.

16 Q. Who made that determination?

17 A. I'm sorry?

18 Q. Who made that determination that it did
19 not -- that --

20 A. The operating board and myself. And
21 sitting there trying to -- because we'd never
22 faced this before. And we'd never had to make
23 that decision before.

24 Q. And was it at this same time that he made
25 the admission he had an affair [REDACTED] ago?

1 A. Yes. [REDACTED] before that. Now [REDACTED]
2 [REDACTED].

3 Q. And so even though he was an employee at
4 the time he admitted to having an affair, that
5 was still not held against him?

6 A. Because it was [REDACTED] before.

7 Q. And it was a physical affair?

8 A. That's what we were told.

9 Q. Did he admit it involved intercourse?

10 A. Yes.

11 Q. So he hid it from the company for [REDACTED]
12 [REDACTED]?

13 A. He, his wife, and his church elders
14 actively deceived everyone in the company, as a
15 group, for [REDACTED], knowing that we would
16 terminate him. Because it was common knowledge
17 that if you had a physical intercourse affair,
18 we would fire you.

19 Q. And you would agree with me that it's
20 easier for a man to hide a physical affair
21 involving intercourse than a woman who can get
22 pregnant or who does get pregnant?

23 A. Anyone who doesn't get pregnant can hide
24 a physical affair easier.

25 MS. COLLINS: Can we go off the

1 record one second?

2 THE VIDEOGRAPHER: We are off the
3 record at 1:54 p.m.

4 (Short break.)

5 THE VIDEOGRAPHER: We are back on the
6 record at 1:54 p.m.

7 BY MS. COLLINS:

8 Q. Okay. I'm going to switch gears a little
9 bit. Got a little off track. But I'll
10 probably come back to some of that, much to
11 your delight.

12 What sort of training have you had in
13 Title VII?

14 MS. COLLINS: Oh, should we bring --

15 MS. WALTER: I'll go get her.

16 MS. COLLINS: -- Caitlin back in?

17 (Off-the-record discussions.)

18 BY MS. COLLINS:

19 Q. All right. So, Mr. Ramsey, what sort of
20 title -- training have you had in Title VII?

21 A. None.

22 Q. None?

23 A. None.

24 Q. Okay. Have you ever considered whether
25 any of your policies violate the law or Title

1 VII?

2 A. We are very careful to follow the law.

3 Q. How do you ensure that you are very
4 careful to follow the law? In particular Title
5 VII is what I'm zeroing in on.

6 A. I'm sorry?

7 Q. How do you ensure that you are very
8 careful to follow the law, in particular Title
9 VII?

10 A. I have a professional HR team that
11 manages any situation that might come close, so
12 that we don't.

13 Q. Before now has there ever been a
14 consideration, to your knowledge, as to whether
15 or not the righteous living core value could
16 run afoul of Title VII?

17 A. Our understanding from everything that
18 the HR professionals and the legal team has
19 looked at is that it does not.

20 Q. To your knowledge, has every unwed mother
21 who's gotten pregnant during the course of
22 their employment and not been married been
23 terminated?

24 A. To my knowledge, yes.

25 Q. And why is that?

1 A. We have never terminated anyone for
2 pregnancy. 60 people plus in the year that
3 Caitlin was terminated had babies. We love
4 babies. We terminate people for having sex
5 outside of marriage because that's a violation
6 of the righteous living core value.

7 Q. Do you think that's a good way to take
8 care of the woman's baby, by terminating her
9 job?

10 MS. SANDERS: Object to the form. He
11 can answer.

12 THE WITNESS: We've only had to deal
13 with this a couple of times. And been very,
14 very heartbreaking. Every case. Because
15 there's a baby involved, so it's very, very
16 sad. And so we're always extremely generous,
17 kind, helpful, financially generous, to make
18 sure that everybody involved is taken care of
19 if they want to be. But we have to be
20 consistent with our application.

21 BY MS. COLLINS:

22 Q. Part of that generosity involves signing
23 a nondisclosure agreement, correct? If -- if a
24 --

25 A. Every severance package that leaves our

1 company has a nondisclosure agreement.

2 Q. Okay. And it also includes an agreement
3 not to sue the company for a violation of the
4 employee's civil rights, correct?

5 A. I don't know the details of the document.

6 Q. Generally are you aware if the severance
7 agreements include an agreement not to sue the
8 company?

9 A. Generally they should. Why would you
10 give someone money and turn around and get
11 sued? That would be kind of ludicrous.

12 Q. Does the company hire people who have had
13 children out of wedlock?

14 A. We would. I don't know if we have.

15 Q. Why would you?

16 A. If their lifestyle going forward does not
17 include sex outside of marriage, their past is
18 not held against them.

19 Q. Does the company require unmarried
20 employees to sign any kind of purity pledge or
21 anything like that?

22 A. No.

23 Q. So there's no formal means to notify an
24 unmarried employee that sex outside of marriage
25 is prohibited?

1 A. There is a formal means. It's their
2 employment agreement that they signed that
3 included a righteous living and holding your --
4 and living your life in such a way that is
5 consistent with Christian values. That is
6 notice.

7 Q. But it doesn't explicitly say that
8 premarital sex is prohibited, does it?

9 A. No, it does not.

10 Q. Isn't forgiveness a Christian value?

11 A. Of course.

12 Q. Would you consider being non-judgemental
13 a Christian value?

14 A. No.

15 Q. Didn't somewhere in the Bible it say
16 something to that effect, judge not lest you be
17 judged?

18 A. And in the Bible it says for us to judge
19 the spirits and to judge. And several times
20 we're told to judge. We're supposed to use
21 common sense as Christians.

22 Q. It also says not to eat shrimp. Do you
23 eat shrimp?

24 MS. SANDERS: Object to the form.

25 I don't care if you answer it.

1 THE WITNESS: That's ridiculous. I'm
2 not going to answer.

3 BY MS. COLLINS:

4 Q. So you're refusing to answer whether or
5 not you eat shrimp?

6 A. Yes, I'm refusing to answer.

7 Q. Okay.

8 A. That's a ridiculous question.

9 Q. Okay. So is it fair to say you pick and
10 choose which parts of the Bible you follow?

11 MS. SANDERS: Object to the form. He
12 can answer.

13 THE WITNESS: No, it is not fair to
14 say.

15 BY MS. COLLINS:

16 Q. Okay. Explain.

17 A. I don't pick and choose which parts to
18 follow.

19 Q. Do you follow every single part of it?

20 A. There are several instructional things in
21 scripture, books of wisdom and so forth, that
22 we follow. And there are Old Testament dietary
23 laws that do not apply today. It's a doctrinal
24 discussion. Probably would have to take a
25 little time in seminary to grasp.

1 Q. Have you been to seminary?

2 A. No. But I've studied scripture for 30

3 years.

4 Q. Are you ordained?

5 A. No.

6 Q. Are potential hirees of Ramsey Solutions

7 subject to any kind of background

8 investigation?

9 A. Yes.

10 Q. What?

11 A. Standard criminal check. And possibly

12 others but I'm not positive. Standard hiring

13 procedures for most companies, I'd say.

14 Q. Now, I understand from the employee

15 handbook in the company conduct section that

16 the company is held out to be Christian. What

17 does that mean?

18 A. It means the company is held out to be

19 Christian.

20 Q. Okay. Where did it come from?

21 A. Where did what come from?

22 Q. That the company is held out to be

23 Christian. Where did that come from? You? A

24 board? What?

25 A. Oh, I see.

1 Because I am a believer. And a lot
2 of the things we teach are biblical principles.
3 A lot of our customers have been Christians
4 over the years. A lot of our customer base is.
5 And they know in that sense that we are a
6 Christian company. We are a company with
7 Christian values.

8 Q. Is it a requirement that employees of
9 Ramsey Solutions be Christian?

10 A. No.

11 Q. Is it a requirement of Ramsey Solutions
12 that its employees have the same Christian
13 values that you or the company holds itself out
14 as having?

15 A. That's what the employee signs in the
16 employee handbook -- or in the employee
17 agreement, when they sign, when they join.

18 Q. So it is a requirement?

19 A. Yes.

20 Q. Are you aware of anyone working for
21 Ramsey Solutions who is not Christian?

22 A. We are not allowed to ask under the law.

23 Q. The employee handbook also states that
24 you will discipline or terminate employees who
25 do not engage in behavior that is consistent --

1 that is not consistent with traditional
2 Judeo-Christian values or teaching.

3 What does that mean?

4 A. Exactly what it says.

5 Q. Okay. Let's break it down.

6 How is an employee to know what is
7 behavior that is not consistent with
8 traditional Judeo-Christian values? If they
9 are not Christian, to go even further.

10 A. If they are going to sign that employment
11 agreement, we assume that they are smart enough
12 to ask if they don't know.

13 Q. Okay. What is your understanding as to
14 what traditional Judeo-Christian values means?
15 What do you mean by that?

16 A. Basic morality as taught in scriptures.

17 Q. When it comes to the company's attention
18 that an employee might not have engaged in --
19 or might have engaged in conduct that was not
20 consistent with traditional Judeo-Christian
values, what happens?

22 A. We would look at what the behavior was,
23 how extreme it was, what patterns were
24 involved, and make a decision based on that.

25 Q. So is it fair to say that y'all look at

1 the individual circumstances of the behavior?
2 A. On things we have never run into before,
3 we have to because we don't have a baseline.
4 For instance, the case we referenced earlier.
5 But on things where we have run into it before,
6 we've already made our decisions based on that.
7 And unless there's a -- some kind of different
8 information, it would not be -- I mean, we're
9 going to look at each case separately. But
10 the -- but we want to treat everyone equally.

11 Q. Who is typically involved in looking at
12 each case?

13 A. HR committee.

14 Q. Are you on the HR committee?

15 A. No.

16 Q. Are you kept in the loop on HR committee
17 business or activities when they have to look
18 at employee issues?

19 A. I'm kept in the loop on all committees.
20 I'm the CEO.

21 Q. Are you on the HRC group e-mails?

22 A. No.

23 Oh, group -- HRC does a report, does
24 an e-mail to the operating board once a week to
25 update and keep all the operating board

1 included, as do all the other committees.

2 Q. And that -- who sends that HRC e-mail to
3 the operating board?

4 A. Jack Galloway chairs HRC right now, so he
5 would send it.

6 Q. How long has that practice taken place?

7 A. Several years. I'm not positive.

8 Q. What's --

9 A. Long time.

10 Q. -- typically in the e-mail?

11 A. I'm sorry?

12 Q. What's typically in the e-mail?

13 A. Families and people who are hurting that
14 we're assisting. There's usually a long list
15 of those. Employees who are struggling with
16 performance and we're trying to help them turn
17 the corner. People who we've tried to help
18 turn the corner but didn't and are going to be
19 moved on, be terminated.

20 What else is there? That's it.

21 That's most of it.

22 Q. Did you get an e-mail like this that had
23 to do with Caitlin O'Connor's situation?

24 A. Yes.

25 Q. And it came from Jack Galloway?

1 A. Well, it came from HRC, yes. I would
2 suspect I did. It would be normal.

3 Q. Is there a particular day of the week
4 that you typically -- that the operating board
5 would typically get these e-mails?

6 A. I don't know. I just read them when I
7 get them.

8 Q. Do you recall what the one said about
9 Caitlin O'Connor?

10 A. No.

11 Q. Now, with respect to the core values, are
12 those -- those are applied across the board to
13 all employees, right?

14 A. Yes.

15 Q. Why did the -- the company lay out this
16 list of core values? Why did y'all do that?

17 A. Many years ago we hired a HR director
18 named Rick Perry, who helped us recognize the
19 way we were making decisions. And he began to
20 memorialize those processes, the values that we
21 were using to make decisions. And we
22 wordsmithed those later, and they became our
23 core values. They were not aspirational of
24 what we wanted to become; it was more an
25 observation of who we are.

1 Q. Is that still the case, that it's still
2 an observation of who you are?

3 A. Yes.

4 Q. Is it your opinion that different
5 religious beliefs demonstrate a lack of
6 character in some of those belief systems? And
7 let me -- let me rephrase that.

8 Is it your opinion that different
9 Christian beliefs demonstrate a lack of
10 character? For example, Lutheran, Methodist,
11 Episcopalian?

12 MS. SANDERS: Object to the form.

13 But you can answer.

14 THE WITNESS: I'm sorry. Is it -- I
15 don't know what you mean. I'm sorry.

16 BY MS. COLLINS:

17 Q. Uh-huh. Well, you would agree with me
18 that different denominations -- let's just
19 characterize it that way -- some are more
20 progressive than others, right?

21 A. I'm not sure what your definition of
22 progressive is.

23 Q. Well, not all denominations or Christian
24 beliefs require -- or have a prohibition
25 against premarital sex, correct?

1 A. I -- I'm not aware of one that doesn't
2 have that prohibition. Certainly not an
3 evangelical.

4 Q. Okay. And not all Christians are
5 evangelical, right?

6 A. Correct.

7 Q. What would you define as evangelical?

8 A. A stricter adherence to -- a strict
9 adherence to scripture.

10 Q. And that includes not engaging in
11 premarital or extramarital sex, right?

12 A. Yes.

13 Q. And, in particular, intercourse?

14 A. Yes.

15 Q. Does it or does it not include oral sex?

16 A. The scripture is not clear. We -- we
17 don't know -- I mean, I -- we've had to make --
18 we've had to use wisdom to ascertain what we
19 believe that meant.

20 Q. And the conclusion was, was that it did
21 not include oral sex?

22 A. No, that was not the conclusion.

23 Q. So what would happen if you found out
24 today that an employee had had oral sex outside
25 of marriage? Would they be terminated for

1 violating the righteous living core value?

2 MS. SANDERS: Object to the form.

3 You can answer.

4 THE WITNESS: We would look at all of
5 the circumstances around it. The intent around
6 it. The credibility of the information. The
7 one time we faced it, the information was not
8 credible. And that entered into the decision
9 because the players were not credible. The
10 people involved were not credible. And so we
11 couldn't tell.

12 If we had an absolute situation where
13 someone has walked away from their marriage in
14 that way, it would likely end in termination.
15 But it would have to be -- it would be based on
16 the credibility of the people involved. They
17 would have to be stable.

18 BY MS. COLLINS:

19 Q. Is there any kind of mandatory reporting
20 if an employee engages in premarital or
21 extramarital sex?

22 A. No. And there's no investigation. The
23 only time we've ever dealt with it is when
24 someone brought it to us.

25 Q. So if they are extra sneaky and extra

1 careful, they can get away with it?

2 MS. SANDERS: Object to the form.

3 THE WITNESS: I guess if you're extra
4 sneaky and extra careful you can get away with
5 almost anything, like stealing, which I would
6 also fire you for.

7 BY MS. COLLINS:

8 Q. Do you fire employees for lying?

9 A. I have.

10 Q. Is that not an automatic termination, the
11 same way engaging in premarital sex is?

12 A. No. It depends on what the lie involves.

13 Q. What if you determine someone is a
14 habitual liar?

15 A. I would let them go.

16 Q. Why?

17 A. Because they are a habitual liar.

18 Q. Does it violate a policy or a value?

19 A. It violates common sense to keep people
20 that you can't trust.

21 Q. Does it also violate one of the company's
22 core values?

23 A. Probably. But not sure which one.

24 Q. Why is it the company's business if an
25 employee engages in premarital sex?

1 A. A larger portion of our Christian -- our
2 customer base -- a large portion of our
3 customer base -- in the early days the largest
4 portion of our customer base -- are
5 Bible-believing Christians. And they expect --
6 they -- they hold us up to that standard. And
7 if someone inside of our organization is
8 damaging that brand, it's a business decision
9 to not retain them.

10 Q. And so an administrative assistant who
11 gets pregnant outside of marriage could damage
12 your brand?

13 A. Our condoning people having sex outside
14 of marriage can damage our brand.

15 Q. And the only way that you find out if an
16 employee is having sex outside of marriage is
17 if either they report it or someone else
18 reports that they think something's going on;
19 is that correct?

20 A. Correct.

21 Q. Is it the company's expectation that any
22 female employee that becomes pregnant lets the
23 company know so that they can take advantage of
24 FMLA or company benefits that are offered?

25 A. We don't have an expectation.

1 Q. Okay. Well, if they want to take -- if a
2 female employee who's pregnant wants to take
3 FMLA for her maternity leave --

4 A. That's the law.

5 Q. -- she has to notify the company?

6 A. That's the law.

7 Q. Okay. And you agree that she should not
8 face reprisal or retaliation for reporting to
9 the company that she is pregnant, correct?

10 A. We have never had any reprisal against
11 someone for being pregnant.

12 Q. Well, you terminated Caitlin O'Connor
13 when she came to you and asked the company if
14 she could take FMLA for her pregnancy. Is that
15 not reprisal or retaliation?

16 MS. SANDERS: Object to the form.

17 You can answer.

18 THE WITNESS: We did not terminate
19 Caitlin O'Connor for being pregnant or for
20 asking for FMLA. We terminated her for having
21 sex outside of marriage.

22 BY MS. COLLINS:

23 Q. But she came to the company and let it
24 know she was pregnant, correct?

25 A. That's my understanding.

1 Q. And she also came to the company and let
2 it know that she needed FMLA, right?

3 MS. SANDERS: Object to the form.

4 THE WITNESS: I don't know. I didn't
5 -- I wasn't personally involved in that.

6 BY MS. COLLINS:

7 Q. Okay. After she notified the company she
8 was pregnant, she was terminated?

9 A. That's my understanding.

10 Q. Okay. And you were involved in that
11 termination?

12 A. No.

13 Q. You didn't send any e-mails?

14 A. No. I mean, I -- no, I e-mailed in
15 response. I was kept in the loop. And I
16 e-mailed back to that, but I didn't cause the
17 termination. I did not participate in the
18 termination personally.

19 Q. What do you mean personally? You didn't
20 participate in the termination personally?

21 A. Operating board members and the HRC
22 handled it.

23 Q. Did you give them direction?

24 A. No. Other than to be compassionate and
25 kind like we always are. And generous. Sad

1 situation.

2 Q. Do you think it's being compassionate and
3 kind to terminate a pregnant employee?

4 A. I think we offered her an amazing amount
5 of money. Amazing -- an amazing compensation
6 package. And we were -- no one was unkind in
7 any way. So, yes, I think she knew what she
8 was into and exactly what -- what was coming.

9 Q. Do you think a separation package is a
10 substitute for knowing you have a job?

11 A. A separation package is what you get when
12 you're separated.

13 Q. But is it a substitution for the comfort
14 of knowing you have a job?

15 MS. SANDERS: Object to the form. He
16 can answer.

17 THE WITNESS: You know, losing your
18 job is always a hard thing. It's very sad.
19 There is no thing that makes the pain of that
20 great. But I've lost jobs for things when I
21 misbehaved, and I have experienced that
22 discomfort.

23 BY MS. COLLINS:

24 Q. Have you ever lost a job when your wife
25 was pregnant with one of your kids?

1 A. No. But I went bankrupt that year.

2 Q. That's probably very stressful, wasn't
3 it?

4 A. Uh-huh.

5 Q. If asked by a member of management, are
6 employees required to provide intimate details
7 about their personal lives to remain employed?

8 A. I didn't hear the last part.

9 Q. Sure.

10 If asked, are employees required to
11 provide intimate details about their personal
12 lives to remain employed by Ramsey Solutions?

13 A. Only in a situation where we felt like
14 something like this righteous living core value
15 was violated. And so if, for instance, someone
16 came in and said I'm thinking about -- or
17 someone says -- moving in with his girlfriend.
18 We'd say, hey, so and so, are you moving in
19 with your girlfriend? I guess that's asking
20 intimate details. And we would say, you don't
21 want to do that if you want to work here.

22 Q. What if they refuse to say one way or the
23 other if their girlfriend was moving in with
24 them, would they be fired?

25 A. We would have to work through that

1 situation and determine. But if we think that
2 it's simply that that's what's going on, then
3 we would have to -- we would have to be
4 consistent.

5 Q. So the presumption would be if someone is
6 living with someone else of the opposite sex,
7 that they are boyfriend or girlfriend, it would
8 be that they are engaging in premarital sex and
9 they should be terminated?

10 A. That's a fairly reasonable assumption.

11 Q. Is there any sort of correlation between
12 an employee who engages in premarital sex and
13 is unmarried, to their job performance?

14 A. Well, part of their job performance at
15 Ramsey is, they sign an employment agreement
16 that says they wouldn't do that. So in that
17 sense, yes, they are not performing their job.

18 Q. And when you say they sign an employment
19 agreement that they would not do that, what is
20 the "that," specifically?

21 A. Once again, seems like we've covered this
22 ground.

23 They sign an employment agreement
24 that says that they are not going to violate
25 righteous living, which is standard Christian

1 beliefs. And so if they are violating that
2 intentionally, they are violating their
3 employment agreement. That is not performing.

4 Q. And even though it's not written, it's
5 considered that engaging in premarital or
6 extramarital sex is a violation of the
7 righteous living core value?

8 MS. SANDERS: Objection to form.

9 You may answer.

10 THE WITNESS: It's widely accepted
11 that a normative in Christianity is sex outside
12 of marriage is not righteous living.

13 BY MS. COLLINS:

14 Q. And you would agree with me that a woman
15 who has premarital sex and gets pregnant can't
16 hide it typically, right?

17 A. I would suspect.

18 Q. Would you also agree with me that a man
19 who engages in premarital sex and gets his
20 partner pregnant can hide it?

21 A. Yes. A lot of people can hide a lot of
22 things, as we established earlier.

23 Q. To your knowledge, was Caitlin O'Connor
24 ever asked if she engaged in premarital sex, or
25 was that just an assumption because she was

1 pregnant?

2 A. I have no knowledge if she was asked
3 personally.

4 Q. What if she would have gotten pregnant
5 through IVF, would she have been terminated?

6 MS. SANDERS: Object to the form.

7 You may answer.

8 THE WITNESS: No.

9 BY MS. COLLINS:

10 Q. Do you know if anyone asked her?

11 A. I'm sorry?

12 Q. Do you know if anyone asked her?

13 A. No.

14 Q. So was it assumed that she engaged in
15 intercourse to get pregnant?

16 A. My understanding is that we had reason to
17 believe that. More than just an assumption.

18 Q. What was the basis of that assumption?

19 MS. SANDERS: Object --

20 THE WITNESS: Conversations she had
21 with the executive team.

22 BY MS. COLLINS:

23 Q. But sitting here today, you have no
24 knowledge as to whether or not anyone
25 specifically asked her if she engaged in

1 intercourse, correct?

2 A. I was not involved personally in the
3 conversations with Caitlin.

4 Q. So you don't have that knowledge,
5 correct?

6 A. I was not involved personally in the
7 conversations with Caitlin.

8 Q. Okay. Would you just answer my question?

9 A. That is the answer.

10 Q. Okay. You don't know?

11 A. I couldn't know. I wasn't personally
12 involved.

13 Q. Would it have been better for her to have
14 an abortion and keep it quiet --

15 MS. SANDERS: Object to the form.

16 BY MS. COLLINS:

17 Q. -- if she had had premarital sex, so she
18 could keep her job?

19 MS. SANDERS: Object to the form.

20 THE WITNESS: No.

21 BY MS. COLLINS:

22 Q. Don't you think this policy places unwed
23 mothers in that position?

24 A. No.

25 Q. Is it fair to say that in the eyes of

1 Ramsey Solutions, that a woman who gets
2 pregnant out of wedlock can't be rehired?

3 MS. SANDERS: Object to the form. He
4 can answer.

5 THE WITNESS: We have a stated policy
6 that would almost never rehire anyone who
7 leaves for any reason, whether they are fired
8 or quit.

9 BY MS. COLLINS:

10 Q. Have there been exceptions to that
11 policy?

12 A. It's an almost never. So there are
13 exceptions.

14 Q. Okay. What if Ms. O'Connor had been
15 raped, would she have still been terminated?

16 MS. SANDERS: Object to the form.

17 THE WITNESS: We have never faced
18 that. I doubt it. It is not consistent with
19 who we are. It's different than an active
20 decision to have premarital sex. Considerably
21 different.

22 BY MS. COLLINS:

23 Q. But as a general rule, if an unwed mother
24 comes to the company and lets it know that
25 she's pregnant, she'll be terminated?

1 MS. SANDERS: Object to the form.
2 THE WITNESS: It's only happened two
3 times in our history. And in both cases, yes.

4 BY MS. COLLINS:

5 Q. Who was the other person?

6 A. Young lady named [REDACTED].

7 Q. Okay. Did you know there was another
8 person, a third person?

9 A. No.

10 Q. Have you ever heard of [REDACTED]?

11 A. No.

12 Q. Okay. If you could turn to Exhibit
13 Number 6 in that binder right there.

14 A. Can we take a five-minute break?

15 Q. Oh, yeah. Sure. Absolutely.

16 MS. COLLINS: Let's go off the
17 record.

18 THE VIDEOGRAPHER: We are off the
19 record at 2:43 p.m.

20 (Short break.)

21 THE VIDEOGRAPHER: We are back on the
22 record at 2:49 p.m.

23 BY MS. COLLINS:

24 Q. Okay. If you could turn to Exhibit
25 Number 6 in that binder for me, please.

1 A. Number 6?

2 Q. Uh-huh.

3 (Off-the-record discussions.)

4 BY MS. COLLINS:

5 Q. Okay. About halfway down on the page is

6 an e-mail. It says from Ramsey Dave. Is that

7 your e-mail address?

8 A. Yes, ma'am.

9 Q. Okay. Did you write this e-mail?

10 A. (Reviews documents.)

11 Yes.

12 Q. Okay. And this is in response to

13 Caitlin O'Connor's e-mail that she sent to

14 Armando Lopez the evening before, letting him

15 know that she was 12 weeks pregnant, correct?

16 A. I didn't get the e-mail, but I understood

17 she had resigned or was knowing that this was

18 going to result in a termination.

19 Q. Okay. If you could just turn to the --

20 page 2 of 6, maybe that will help refresh your

21 recollection. And just start with her e-mail

22 and work your way --

23 A. Yeah.

24 Q. -- up.

25 A. Frowned upon.

1 Q. Okay. So did you read that when it was
2 forwarded to you from Mr. Lopez?

3 A. Yes.

4 Q. Okay. So you knew that Ms. O'Connor was
5 12 weeks pregnant at that time, right?

6 A. Uh-huh.

7 Q. And you also knew only that she was
8 unmarried, right?

9 A. Yes.

10 Q. And that she was checking to see about
11 getting FMLA and ADA paperwork, right?

12 A. Well, what I mainly saw was that she's
13 expecting. And I understand being unmarried
14 and expecting is frowned upon here, which is
15 Caitlin saying that she knows that this is not
16 going to be something we go forward with; that
17 she was aware.

18 Q. So you ascertained all that from that one
19 sentence?

20 A. Yes.

21 Q. Okay. And she doesn't say that she's
22 resigning or she knows that it will lead to her
23 termination, does she?

24 A. No.

25 Q. Okay. And from this e-mail there's no

1 way to tell if she engaged in premarital sex or
2 if she had IVF, right?

3 A. She would not have stated that being
4 unmarried and expecting is frowned upon here if
5 it was IVF. Because she would have come to us
6 and said -- I mean, it's easy to assume that
7 she would have come to us and said that that's
8 what was going on. Instead she knew that she
9 had engaged in something that was in violation
10 of her employment.

11 Q. How do you know what she would have done?

12 A. Well, you don't say I'm unmarried and
13 expecting is frowned upon here, if you have
14 IVF. You come and sit down. And normal people
15 would come and have a conversation. A
16 conversation -- our doors are open for people
17 to have conversations.

18 Q. Okay.

19 A. And this was done by e-mail, which is why
20 I responded the way I did. I was thinking of
21 her. I figured she was embarrassed and scared.
22 And I was kind of taking up for her, if you
23 read the e-mail actually carefully.

24 Q. Okay. So in your e-mail response, you
25 say, so sad?

1 A. Uh-huh.

2 Q. What is so sad about her providing
3 sensitive information about her being pregnant
4 to the HR director? What is sad about that?

5 MS. SANDERS: Object to the form.

6 You can answer.

7 THE WITNESS: It's sad that
8 apparently she's going to lose her job for
9 having premarital sex. And there's a baby
10 involved. And it's a horrible, horrible
11 situation. And we're going to have to be
12 unbelievably compassionate and kind.

13 BY MS. COLLINS:

14 Q. Okay. And from her e-mail you assume
15 that she was scared and embarrassed; is that
16 right?

17 A. The fact that she did this by e-mail
18 instead of in person made me -- gave me that
19 impression.

20 Q. Is there a requirement that an employee
21 notify HR --

22 A. No.

23 Q. -- that they are pregnant, in person?

24 A. No, there's not a requirement. This was
25 a human reaction. Not a policy.

1 Q. In your e-mail you write -- and this is
2 at 5:10 a.m., on June 19th, after she sent the
3 initial e-mail on June 18th at 4:44 p.m. You
4 write, tell her we will work this out with her
5 next week, but she will be loved and cared for.

6 What did you mean by that?

7 A. We'll work out her separation.

8 Q. Okay. And then the next sentence says,
9 then next week we'll follow the steps we did
10 before.

11 What do you mean by that, the steps
12 we did before?

13 A. Every time we separate someone, we're
14 kind and generous.

15 Q. Are you talking about every time you
16 separate an unwed mother?

17 A. Every time we separate anyone.

18 Q. Are you more generous with unwed mothers?

19 A. This only happened twice. And I only had
20 the opportunity to be generous once.

21 Q. When you say twice, does that include
22 Caitlin O'Connor or -- does that include
23 Caitlin O'Connor?

24 A. Yes. Yes.

25 Q. And [REDACTED]?

1 A. Yes.

2 Q. And then your last sentence says, we were
3 thorough because that is the right thing to do.

4 What does that mean?

5 A. It means we are going to thoroughly take
6 care of her, be kind to her, and generous to
7 her. There's a baby involved, and this is a
8 sad situation.

9 Q. But the right thing does not involve
10 letting her keep her job, correct?

11 A. Correct.

12 Q. If you could turn to tab number --
13 Exhibit 7. It's been previously marked in a
14 deposition in this case.

15 A. Uh-huh. Just the first page or the
16 second or what?

17 Q. On the second page.

18 MS. SANDERS: I'm sorry.

19 THE REPORTER: You're fine.

20 MS. COLLINS: These are the ones
21 marked by the court reporter.

22 MS. SANDERS: Okay.

23 MS. COLLINS: So I have not --

24 MS. SANDERS: Maybe I could take a
25 moment to just look through the book and make

1 sure there's no writing or anything on this.
2 I've just not seen the book. So I can look
3 through it, and then I won't have to keep
4 getting up and being disruptive. That would be
5 fine.

6 MS. COLLINS: It's -- it's the
7 official court reporter copy.

8 MS. SANDERS: Oh, it's her copy?

9 MS. COLLINS: Yes.

10 MS. SANDERS: I didn't realize that.

11 THE REPORTER: Our firm brought it.

12 MS. SANDERS: Oh, thank you. I
13 thought it was a copy you had made for her.
14 Thank you. Sorry about that.

15 THE REPORTER: No problem.

16 THE WITNESS: (Reviews documents.)

17 Caitlin is 12 weeks pregnant. Not
18 married. She's 37 and has a 19-year-old and
19 20-year-old. Boyfriend and father of her child
20 is 52. They plan to get married, but she is
21 not officially engaged.

22 So apparently she told Suzanne and
23 Jim that it was not IVF. Huh. Okay.
24 Interesting.

25 And your question about this is what?

1 BY MS. COLLINS:

2 Q. Have you read the document?

3 A. I have now, yes.

4 Q. Okay. Now, do you recall receiving this
5 e-mail from Suzanne Simms?

6 A. Vaguely.

7 Q. Okay. And is -- the e-mail just above
8 that, did you write that e-mail?

9 A. I'm sorry? Agreed -- which one are you
10 talking about? There's three -- no, there's
11 two from Suzanne.

12 Q. The one that you responded to that starts
13 with "agreed."

14 A. Oh, okay.

15 Q. Did you write that e-mail?

16 A. Yes.

17 Q. Okay. What were you agreeing to in
18 Suzanne Simms' e-mail?

19 A. Her e-mail.

20 Q. Okay. What part -- what about her e-mail
21 were you agreeing to?

22 A. I guess the entire e-mail. If I would
23 have not agreed to the whole thing, I would
24 have said so.

25 Q. Okay. When you state in your e-mail

1 Finney and Armando should not talk, why did you
2 state that?

3 A. On the previous page Finney --
4 Michael Finney had said he didn't want her to
5 feel ganged up on. I was agreeing with that.
6 I didn't -- I was trying to not -- this is a
7 painful, sad situation. I'm trying to not have
8 this young lady with a whole bunch of people in
9 the room feeling ganged up on. I was trying to
10 be kind.

11 Q. Okay. And that e-mail from
12 Michael Finney came after your e-mail, correct?

13 A. Okay. He's agreeing with me. I don't
14 want her to feel ganged up on either. Because
15 I said, don't want her to feel ganged up on.

16 Yeah, that's it. Yeah, we're
17 agreeing. We're not -- we're not trying to be
18 unkind. We're trying to be -- I'm just trying
19 to envision a young lady sitting there with a
20 whole bunch of executives around her; that this
21 is some kind of, you know, super high-pressure
22 thing for her. And I was trying to just help
23 her.

24 Q. When you say this is obviously contrary
25 to our values, what did you mean by that? What

1 is --

2 A. It's obviously contrary to the righteous

3 living values when you get pregnant with the

4 father of your child who is 52; and they plan

5 to get married, but she is not officially

6 engaged.

7 Q. What does this refer to? Is that --
8 would -- the fact that he was 52 --

9 A. That she has --

10 Q. -- or what?

11 A. No. No. That she has been having sex
12 out of marriage.

13 Q. Okay. Does it say anywhere in
14 Suzanne Simms' e-mail that she was having sex
15 outside of marriage?

16 A. No, but it's inferred.

17 Q. Why did you single out that the men
18 should not talk, as opposed to the women?

19 A. Again, I didn't want someone -- I didn't
20 want a young lady feeling like she was being
21 mansplained to, something that was going on. I
22 wanted some ladies to be compassionate with a
23 young lady who was in a horrible, difficult
24 situation, losing her job.

25 MS. COLLINS: Okay. I'm about to get

1 into some documents that have been marked
2 attorneys' eyes only. So I think we need to
3 have Caitlin leave the room.

4 (Off-the-record discussions.)

5 MS. COLLINS: And just for the
6 record, we just received production of these
7 documents. Most of them last night after
8 midnight. So we are not sure if this is all of
9 the documents we might need to depose
10 Mr. Ramsey on. And for that reason we may need
11 to leave the deposition open.

12 MS. SANDERS: We object to that. But
13 we can take that up at another time.

14 (Off-the-record discussions.)

15 BY MS. COLLINS:

16 Q. I'm going to hand you a document. We are
17 going to mark --

18 MS. COLLINS: Where are we on
19 exhibits?

20 (Off-the-record discussions.)

21 (WHEREUPON, the above-mentioned
22 document was marked as Exhibit 37.)

23 BY MS. COLLINS:

24 Q. All right. Now, this document that's
25 been marked as Exhibit Number 37, if you go

1 down to the bottom of the page -- and this is
2 one from [REDACTED] -- you're referring to
3 [REDACTED]; is that correct?

4 MS. SANDERS: While he's reviewing
5 that, for the record, this portion of the
6 deposition is attorneys' eyes only. She may
7 have said that. I'm not sure.

8 THE WITNESS: (Reviews documents.)

9 Yes.

10 BY MS. COLLINS:

11 Q. Okay. And you state in this e-mail about
12 [REDACTED], that he simply lied out of shame
13 and fear of being fired, which is actually what
14 a normal human does.

15 So is it okay for some employees to
16 lie and not others?

17 A. [REDACTED] and [REDACTED] had lied out of shame
18 and fear for [REDACTED]. Together they had
19 contrived and deceived us intentionally. I
20 stated that earlier. And that's what I'm
21 referring to.

22 Q. What do you mean they lied to you for [REDACTED]
23 [REDACTED]?

24 A. They knew, along with the church elders
25 of the church they were attending at the time,

1 that [REDACTED] had an affair. An intercourse-based
2 affair with an employee at that time [REDACTED]
3 [REDACTED] -- a [REDACTED] prior to them
4 coming to us. It's approaching [REDACTED], now,
5 ago.

6 But they held it -- or they deceived
7 us for [REDACTED]. The two of them together,
8 along with their church elders. They all knew
9 what would happen if we found out in
10 contemporary times.

11 Q. Did you ever find out why they lied?

12 A. Because they knew he would have been
13 fired if we had found out any time near the
14 time it actually occurred. Because it's
15 generally accepted in our firm.

16 Q. Okay. All right. I'm going to hand you
17 another document we're going to mark as Exhibit
18 Number 38. I'm going to hand it to the court
19 reporter so she can mark it first.

20 (WHEREUPON, the above-mentioned
21 document was marked as Exhibit 38.)

22 THE WITNESS: (Reviews documents.)
23 BY MS. COLLINS:

24 Q. If you could turn to the second page of
25 Exhibit Number 38. It's got 2521 down at the

1 bottom. You state in the second to last
2 paragraph, it says, remember our principle is
3 to slightly overshare but never to the point of
4 shaming or harming internal brand to the point
5 of hurting effectiveness.

6 What does that mean?

7 A. Any time we have uncomfortable
8 information on a team member, we believe good
9 organizational mental health is for folks to
10 know what's going on. And so we tend to go up
11 to the edge of oversharing, while never
12 throwing that person under the bus.

13 Q. I'll mark the next document as Exhibit
14 Number --

15 THE REPORTER: 39.

16 (WHEREUPON, the above-mentioned
17 document was marked as Exhibit 39.)

18 (Off-the-record discussions.)

19 THE WITNESS: (Reviews documents.)

20 BY MS. COLLINS:

21 Q. And this is an e-mail that you sent to
22 [REDACTED], correct?

23 A. Yes.

24 Q. Okay. And at this point in time, as of
25 [REDACTED], was it your understanding

1 that he was getting a divorce?

2 A. Yes.

3 Q. Okay. At this point in time, did you
4 know that he had engaged in an extramarital
5 affair?

6 A. I knew he had engaged in an extramarital
7 affair [REDACTED] previous, as we've already
8 discussed. We found out several months later
9 that he had had an extramarital affair
10 during -- shortly -- probably around this time
11 this was written or shortly before. And we
12 fired him instantaneously.

13 Q. As of [REDACTED] had [REDACTED],
14 his wife, come to you and let you know that he
15 had engaged in extramarital affairs and he had
16 just denied it?

17 A. [REDACTED] had told us a lot of things. But
18 [REDACTED] lost her credibility because of her
19 behaviors. And so we couldn't tell any -- if
20 anything [REDACTED] was saying was true. So she
21 said a lot of things about a lot of people,
22 including me, that weren't true. And so it's
23 not -- she -- I have no idea what all [REDACTED]
24 has accused somebody of. Lots of things.

25 Q. Okay. So because of her behaviors, y'all

1 didn't believe [REDACTED]?

2 A. Yeah. Erratic. Completely out of
3 control. Inconsistent. Changing her story.
4 It was not a credible source to make a decision
5 on someone's life with.

6 Q. Okay. And in this e-mail you state that,
7 this is the year your Ramsey family continues
8 to walk the rest of this path with you. Got
9 your six. Always have.

10 So at this point in time, as of

11 [REDACTED], you knew that [REDACTED]
12 had violated the righteous living core value
13 during his employment, but you were still
14 letting him know that you had his six, correct?

15 A. He had violated it [REDACTED] previous.
16 And [REDACTED] before this e-mail was written, we
17 had made the decision to keep him and work
18 forward, because the information -- or the
19 affair was ancient history.

20 Q. But you knew that [REDACTED] had
21 made allegations that there was not affairs
22 that were ancient history, but you chose not to
23 believe her because she was erratic?

24 MS. SANDERS: Object to the form.

25 THE WITNESS: [REDACTED] was not a

1 credible source. She had -- her -- her
2 behavior kept us from believing anything she
3 said.

4 Oddly enough, I'll add, it turns out
5 that she was right. I wish she had been a
6 credible source. It would have saved us all a
7 lot of pain. It was a huge mistake. But we
8 had to make the decision with the information
9 and the sources that we had that we could trust
10 at the time. And we made the best decision we
11 could at the time. Obviously, we found out
12 later we were wrong.

13 BY MS. COLLINS:

14 Q. Do you have a page number 2746 in that
15 exhibit?

16 A. In this exhibit?

17 Q. The one I just gave you. Or is that just
18 one page?

19 A. That's a one page.

20 Q. Okay. Let's mark the next document as
21 Exhibit Number 40.

22 (WHEREUPON, the above-mentioned
23 document was marked as Exhibit 40.)

24 BY MS. COLLINS:

25 Q. If you could turn to page 2746.

1 A. (Reviews documents.)

2 Q. If you could turn to page 2. And I'm

3 talking about the [REDACTED], e-mail

4 that you sent at 10 o'clock a.m.

5 You wrote -- is this about

6 [REDACTED], first?

7 A. Yes.

8 Q. Okay. And so the company sent him to

9 [REDACTED]

10 A. [REDACTED]

11 [REDACTED]

12 Q. [REDACTED]

13 [REDACTED]

14 [REDACTED]

15 A. When [REDACTED] came in in [REDACTED]

16 at the start of this whole process and went

17 through a three-day unpacking of the whole

18 situation, and as a group, including [REDACTED] and

19 [REDACTED], decided that there were many, many

20 steps that needed to be taken of healing to

21 cover this [REDACTED] of deception, the affairs,

22 the manipulation, even [REDACTED] erratic

23 behavior.

24 And we had, as a group -- including

25 [REDACTED] and [REDACTED] -- decided there were several

1 things -- several steps that needed to be taken
2 to bring healing to these folks as best we
3 could, if -- to the extent -- to the extent we
4 had input on it. [REDACTED]

5 [REDACTED]
6 [REDACTED]
7 [REDACTED]
8 [REDACTED] Including multi, multi, multi
9 steps of things we did to take him off the
10 road, to try to give him space, to put this
11 entire mess behind him and heal and for their
12 marriage to heal. Apparently, neither one of
13 those things worked.

14 Q. Okay. At this point in time had he been
15 accused of a righteous living violation, or had
16 the righteous living core value been
17 implicated?

18 A. He was accused of a righteous violation.
19 It was accused of many things. But the only
20 thing that we got admission from him on and/or
21 felt like we could tell what the truth was --
22 we were wrong, but we felt like we could tell
23 -- as best we could tell what the truth was --
24 the only thing we were sure of was the
25 [REDACTED] affair and the emotional affair

1 and -- beginning, not ending, of oral sex with
2 the [REDACTED]. Those were the only things.

3 And again, as stated earlier, we
4 made -- that's where we made the distinction of
5 intercourse is a nonstarter for remaining. But
6 this is ancient history, so we're going to try
7 to work it out.

8 Plus the two of them together had
9 deceived us. And -- and were work -- were
10 willing to work on their marriage at that time.
11 And we're thinking hopefully we could save a
12 marriage and be involved in them saving their
13 marriage anyway and be a blessing to them, be a
14 help to them.

15 And so long way around of saying,
16 again, it was a nuanced type of violation and
17 we made a decision to go forward and try to
18 keep working with him.

19 Q. Okay. At this point in time, as of
20 [REDACTED], you write in your e-mail
21 that he still has serious issues on the need to
22 appear perfect, lack of authenticity, which led
23 to deception before. That has to be cleaned
24 up.

25 A. Uh-huh.

1 Q. At this point in time did you feel like
2 [REDACTED] had been deceitful to the company?

3 A. He is a -- the further we got into this,
4 the more we discovered how wounded and harmed
5 he was. And -- and is, I guess. And we were
6 trying to walk through a healing process with
7 him.

8 So in the midst of that, we would
9 discover little things that he would say that
10 weren't true. But there were no major
11 deceptions.

12 (Brief conference between attorneys.)

13 MS. COLLINS: All right. I'm going
14 to mark the next document as Exhibit Number 41.

15 (WHEREUPON, the above-mentioned
16 document was marked as Exhibit 41.)

17 BY MS. COLLINS:

18 Q. And this is Bates labeled 2610 through
19 2611. Just let me know when you've had a
20 moment to review it.

21 A. (Reviews documents.)

22 Q. Okay. Have you seen the e-mail from
23 Jen Sievertsen before, from [REDACTED]?

24 A. It's copied to the operating board, so I
25 would have gotten it.

1 Q. Okay. Are these the circumstances that
2 you were referring to where [REDACTED]
3 accused [REDACTED] of having an affair, both a
4 current affair and an older affair?

5 A. Yes.

6 Q. Okay. And with respect to the current
7 affair with the person named [REDACTED], that
8 was an employee of Ramsey Solutions, correct?

9 A. Yes.

10 Q. Okay. And at this time [REDACTED]
11 made the allegation that he had told [REDACTED]
12 she looked good in her shirt and he missed
13 seeing her and thought about her, and he missed
14 her within a few hours of waking up, right?

15 A. Yes.

16 Q. Okay. Did he deny that that conversation
17 took place?

18 A. No.

19 Q. Okay. So at this point in time, as of
20 [REDACTED], Ramsey Solutions had
21 information that [REDACTED] had made these
22 comments to [REDACTED] about how she looked in a
23 shirt and that you thought -- that he missed
24 her within a few hours of waking up, correct?

25 MS. SANDERS: Object to the form.

1 But you can answer.

2 THE WITNESS: Apparently that's what
3 he told, based on this e-mail.

4 BY MS. COLLINS:

5 Q. All right. And even though he admitted
6 to saying that, the company did not fire him
7 for a righteous living violation, correct?

8 A. We don't -- we have never fired someone
9 only for flirting or only for telling someone
10 they looked good in their shirt.

11 Q. Is that a violation of the righteous
12 living core values, to be engaging in that sort
13 of conduct as a married employee, to be
14 flirting with a female co-worker?

15 A. A minor violation. And he was confronted
16 on it. And so was [REDACTED], according to this
17 e-mail. And that's what I remember happening.

18 Q. Why was he not terminated?

19 A. Well, there a way difference in a degree
20 of telling someone they look good in their
21 shirt and having sex outside of marriage.

22 Q. Okay.

23 A. The same as...

24 Q. The same as what?

25 A. Nothing. Sorry.

1 Q. Okay. And as a result of this,

2 [REDACTED]?

3 MS. SANDERS: Object to the form.

4 You can answer.

5 THE WITNESS: I've already covered
6 that. Yes.

7 BY MS. COLLINS:

8 Q. And he had to have a male chaperon with
9 him?

10 A. That was part of our agreement with he,
11 his wife, his church elders, our operating
12 board, to have people with [REDACTED], people with
13 [REDACTED]. [REDACTED]
14 [REDACTED]. There were several steps we
15 took to try to bring healing and trust and
16 stability to this situation.

17 Q. I'm going to hand you another set of
18 documents -- here we go -- marked as Exhibit
19 42.

20 (WHEREUPON, the above-mentioned
21 document was marked as Exhibit 42.)

22 THE WITNESS: (Reviews documents.)

23 How much are you -- are you asking me
24 to read this?

25 ///

1 BY MS. COLLINS:

2 Q. I just want to ask you a few questions
3 about the e-mail from [REDACTED] on [REDACTED]
4 [REDACTED].

5 A. Second page?

6 Q. Yes.

7 A. Okay.

8 Q. Did you read it?

9 A. Yes, ma'am.

10 Q. Okay. What happened in [REDACTED]
11 to bring back up the [REDACTED] situation?

12 A. I don't remember.

13 Q. Okay. [REDACTED] writes, I started
14 simply by saying the entire board has all the
15 details of the divorce decree and
16 communications sent and have been discussing.
17 And it's really not good.

18 Do you know what that's about?

19 A. There was -- his divorce -- her divorce
20 attorney has garnished [REDACTED] wages. He was
21 behind on payments of child support. There
22 were a lot of little nitzy details of things we
23 felt like he should have told us that were in
24 the divorce decree. But there was nothing
25 major in there. But it was an accumulation of

1 little things that were building up.

2 Q. Is it fair to say at this point in time
3 he was still being dishonest with the company?

4 A. We now know that for sure he was. We did
5 not know that then.

6 Q. Okay. And was continued dishonesty with
7 the company considered a violation of the
8 righteous living core value or any of the core
9 values?

10 A. We were walking with a broken guy who was
11 trying to heal, as I mentioned earlier. We
12 were hoping for his spiritual and emotional
13 healing. He had been living a lie for [REDACTED]
14 with me and [REDACTED]. And he was trying to get
15 his life together. We were trying to walk with
16 him and give him some mercy through that
17 process.

18 In all of these situations, they are
19 always -- everything we've discussed today --
20 sad and hurt and a lot of hurt people. And
21 we're always trying to be kind and gracious and
22 give grace and still stand on principle.

23 And so, yeah, we were -- we were
24 walking with a guy that was hurting. And
25 sometimes he wasn't being forthcoming, and we

1 weren't happy with that. Apparently that's
2 what's reflected in [REDACTED] e-mail.

3 Q. Okay.

4 A. He was hanging on by a thread. That's
5 what this is.

6 I'm going to have to go to the
7 restroom again.

8 MS. SANDERS: Sure. Can we take a
9 break?

10 MS. COLLINS: Yep.

11 THE VIDEOGRAPHER: We are off the
12 record at 3:39 p.m.

13 (Short break.)

14 THE VIDEOGRAPHER: We are back on the
15 record at 3:50 p.m.

16 BY MS. COLLINS:

17 Q. Okay. I think I already asked you about
18 that one, right?

19 A. Yes, ma'am.

20 MS. SANDERS: 42, yeah.

21 THE WITNESS: I think so.

22 BY MS. COLLINS:

23 Q. Okay. Okay. I don't need to ask you
24 anything about that, so you can put that to the
25 side.

1 And I'm going to hand the court
2 reporter another set of documents we're going
3 to mark as 43.

4 THE REPORTER: Yes.

5 (WHEREUPON, the above-mentioned
6 document was marked as Exhibit 43.)

7 BY MS. COLLINS:

8 Q. Now, if you could turn to page 2484 of --
9 well, first let's start on page 2483. This
10 starts with an e-mail from you on [REDACTED]
11 [REDACTED], at 3:47 a.m. Couldn't sleep; is
12 that right?

13 A. 2:30 a.m.? Begins with that?

14 Q. Yeah. Or 3:47 a.m.

15 A. Oh, it comes out at 3:47 a.m. Yeah. But
16 I -- my first line is, it's 2:30 a.m. I was in
17 Cabo. Yeah.

18 Q. Okay. And on the next page, 2484, you
19 write that, I'm afraid we were being played
20 after we were warned he's a world-class liar
21 and manipulator. Maybe he isn't playing as in
22 [REDACTED] is a world-class bitch, using her own
23 kids as pawns.

24 Is -- is that a term, referring to a
25 woman as a bitch, that you frequently use?

1 A. No.

2 Q. Why did you use that term to refer to
3 [REDACTED] as a bitch?

4 A. It's pretty accurate.

5 Q. Okay. Have you used that terminology to
6 refer to other women?

7 A. Rarely.

8 Q. Okay. Have you ever used that
9 terminology to refer to men as bitches?

10 A. Probably. Or any other myriad of names.
11 I'm an equal opportunity offender.

12 Q. And if you could turn to page 2511, you
13 wrote, the reason he is so private -- and
14 you're referring to [REDACTED] again -- is he
15 has been lying to us for [REDACTED]. Of course
16 he doesn't communicate well and authentically.
17 He's been living a double life.

18 So at this point in time, as of
19 [REDACTED], you knew that [REDACTED]
20 had been lying to the company for [REDACTED] and
21 living a double life, correct?

22 A. We already established that [REDACTED] and
23 [REDACTED] and their church elders had misled us
24 for [REDACTED].

25 Q. Okay. And yet he still wasn't terminated

1 for that?

2 A. We already established that.

3 Q. So the answer to my question is, correct,
4 he was not terminated?

5 A. Again, that's the same answer. Yes.

6 Q. If an employee's pastor told them it was
7 permissible to have premarital sex or to live
8 with their partner, would you consider that a
9 request for religious accommodation?

10 A. It's never happened.

11 Q. Now, at some point in time your former
12 [REDACTED], [REDACTED], came to you and let
13 you know that he had had an extramarital -- or
14 extramarital sex, right?

15 A. Sex outside of marriage, yes. He wasn't
16 married.

17 Q. Sex outside of marriage?

18 A. Yeah. He wasn't married.

19 Q. And he was not -- well, he was allowed to
20 continue to work for the company for a while,
21 right?

22 A. [REDACTED]
23 [REDACTED]
24 [REDACTED]
25 [REDACTED],

1 [REDACTED]
2 [REDACTED]
3 [REDACTED].

4 Q. Okay.

5 A. He was no longer an employee at the
6 company.

7 Q. Okay. So -- but that was after you knew
8 that he had had premarital sex, correct?

9 A. Yes. Contract labor is a different thing
10 than employee status. And I -- it was not a
11 long-term solution. It was a short-term thing.
12 Very, very temporary. I would not have
13 contracted with him long term.

14 Q. Does the company have a porn blocker, a
15 pornography blocker?

16 A. I don't know. It would be a good idea.

17 Q. Are -- is looking at pornography or
18 having a pornography addiction a violation of
19 the righteous living core value?

20 A. Yes.

21 Q. Have you been involved in any employee
22 decisions or discipline involving employees who
23 have had a problem with pornography?

24 A. Yes. We've -- I've been involved with
25 employees who have had all kinds of different

1 addictions. And we always treat addictions the
2 same. We always try to work with them to turn
3 their life. If they continue in the addiction,
4 we let them go. And that's true with the
5 pornography as well.

6 Q. Okay. Have all of the employees you've
7 dealt with, with respect to pornography, been
8 male employees?

9 A. To my knowledge, yes. That I've dealt
10 with personally, yes. I don't know of any
11 inside the company that were female ever. It's
12 generally a male offense.

13 Q. Why was [REDACTED] eventually
14 terminated?

15 A. A young lady came to us -- came to two of
16 our operating board members and told a credible
17 story, that she had been involved in a recent,
18 current affair with him.

19 And I was out of town. They called
20 and let me know they were terminating him. And
21 I agreed.

22 Q. [REDACTED]
23 [REDACTED]

24 A. I didn't meet with her.

25 Q. I'm asking you what your knowledge is.

1 Were you told --

2 A. I was told that she did.

3 Q. What was that about?

4 A. [REDACTED]

5 [REDACTED]

6 [REDACTED]

7 [REDACTED]

8 Q. [REDACTED]

9 [REDACTED]

10 A. [REDACTED]

11 [REDACTED]

12 [REDACTED]

13 [REDACTED]

14 [REDACTED]

15 Q. [REDACTED]

16 A. [REDACTED]

17 MS. COLLINS: All right. Let's take

18 a brief break --

19 MS. SANDERS: Sure.

20 MS. COLLINS: -- so I can just review

21 my notes with Ashley.

22 MS. SANDERS: Sure. We'll go down

23 the hall.

24 THE VIDEOGRAPHER: We are off the

25 record at 4:00 p.m.

1 (Short break.)

2 THE VIDEOGRAPHER: We are back on the
3 record at 4:13 p.m.

4 BY MS. COLLINS:

5 Q. Okay. I understand that the company has
6 weekly devotional meetings; is that correct?

7 A. Yes, ma'am.

8 Q. Are those required that employees attend
9 that?

10 A. Never stated it. But most people -- I
11 mean, virtually required. It's not a stated
12 policy. But staff meeting is required on
13 Monday morning, and we want folks in devo on
14 Wednesday.

15 Q. Before this lawsuit had -- do you recall
16 meeting Caitlin O'Connor?

17 A. Sure.

18 Q. Okay. What was your impression of her?

19 A. What was my impression of her?

20 Q. Uh-huh. When you just ran into her, met
21 her in the workplace.

22 A. You know, we have a thousand team
23 members. And I don't -- we weren't working
24 together on anything, so I didn't really have
25 an impression initially.

1 Q. Okay.
2 A. It wasn't negative or positive.
3 Q. Okay. And prior to her termination, to
4 your knowledge had there been any complaints
5 about -- made about her?

6 A. There was some stuff in an HR report a
7 time or two about performance. And some
8 question about some kind of a honeymoon thing
9 or something with a different fiancé at some
10 point. But -- like, going on the honeymoon
11 before marriage or something. I don't
12 remember. Something along those lines. But I
13 don't recall the exact details.

14 But I remember coming -- her name
15 coming up a couple of times in negative reports
16 in HR.

17 Q. And those are those HR --

18 A. E-mails that go out once a week.

19 Q. Okay. After Caitlin O'Connor sent the
20 e-mail to Mr. Lopez letting him know that she
21 was pregnant, do you think that was a classless
22 way of her to handle it, by e-mailing him and
23 letting him know that?

24 A. No, not to tell somebody you're pregnant.
25 But to tell somebody that you've violated a

1 core value and that you're, in effect,
2 resigning or know you're about to get fired,
3 that would normally be something that we think
4 someone would do in person. But that would be
5 an issue.

6 Q. There's no --

7 A. You would sit down -- it's not a
8 requirement. But it would just be -- you said
9 class. You didn't say policy. So it would be
10 classy to sit down in person, where you've got
11 an extreme situation and have a discussion.

12 But she fired an e-mail.

13 Q. You use e-mail a lot, though, don't you?

14 A. I use it all the time.

15 Q. But it wasn't classless in and of itself
16 for her to send the e-mail, was it?

17 A. It's not relative to me one way or the
18 other.

19 Q. Do you think that's a very kind way to
20 handle it, if you -- if you were to refer to
21 that, her sending an e-mail about that as
22 classless?

23 A. I don't think I did that, that I know of.
24 I don't think I said it was classless. Maybe I
25 did. I don't think I did.

1 Q. Well, I'm asking you if you think that
2 it's kind. I'm not saying you did it.

3 A. Oh. It's a very small part of this
4 entire equation. So I don't care.

5 Q. Do you encourage members of management or
6 your management team to hold themselves to a
7 higher standard?

8 A. Of course.

9 Q. Okay. That's all I have.

10 MS. SANDERS: Okay. No questions,
11 other than just to -- there were a number of
12 things in today's deposition that would be
13 confidential. We can deal with that when we
14 get the transcript. We'll mark it as
15 confidential until the transcript comes in and
16 we've had an opportunity to review it.

17 No questions.

18 THE VIDEOGRAPHER: Hearing no
19 objections, this concludes the deposition for
20 today. We are off the record at 4:17 p.m.

21 THE REPORTER: Ms. Collins, do you
22 want to order the transcript?

23 MS. COLLINS: Yes. And I think I
24 need a quick turnaround on it.

25 THE REPORTER: Okay.

1 MS. COLLINS: I mean, you don't have
2 to stay up all weekend. Next week sometime.

3 THE REPORTER: Okay. I'll get it to
4 you.

5 And do you want a copy?

6 MS. SANDERS: Yes, please.

7 THE REPORTER: Next week?

8 MS. SANDERS: Whenever you do that.
9 Same time. Thank you.

10 FURTHER DEPONENT SAITH NOT

11 (Proceedings concluded at 4:18 p.m.)

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1 C E R T I F I C A T E
2

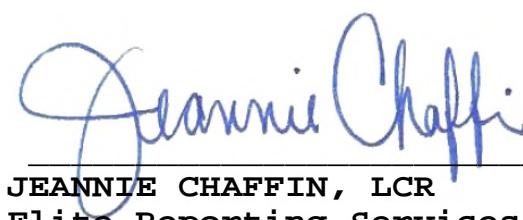
3 STATE OF TENNESSEE
4

5 COUNTY OF SUMNER
6

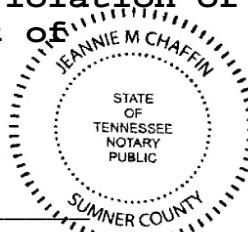
7 I, JEANNIE CHAFFIN, Licensed Court
8 Reporter, with offices in Portland, Tennessee, hereby
9 certify that I reported the foregoing video
10 deposition of DAVID L. RAMSEY III by machine
shorthand to the best of my skills and abilities, and
thereafter the same was reduced to typewritten form
11 by me.

12 I further certify that I am not related
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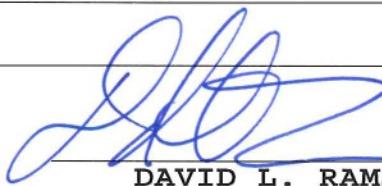


25 My Notary Commission Expires: 6/7/2025
LCR #169 - Expires: 6/30/2022

1 E R R A T A P A G E
2

3 I, DAVID L. RAMSEY, III, having read
4 the foregoing videoconference deposition, pages
5 6 - 84, do hereby certify said testimony is a
true and accurate transcript, with the following
changes (if any):

PAGE	LINE	SHOULD HAVE BEEN
7	<u>16</u> <u>4</u>	<u>"Became"</u> should be replaced with "came"
9	<u>18</u> <u>15</u>	<u>"Correct"</u> should be deleted and replaced with "No, it did violate righteous living, but it didn't warrant automatic termination."
14	<u>53</u> <u>23</u>	<u>"Jim"</u> should be replaced with "Jen"
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21		



DAVID L. RAMSEY, III



Notary Public

My Commission Expires: February 24, 2024

Reported by: Deborah H. Honeycutt, LCR



